

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SEEDY DRAMMAH & FATOUMATA :
DRAMMEH on behalf of her niece and the :
minor daughter of Seedy Drammah, M.D., as :
her next friend, :
:

Petitioner, :
:

- against - :
:

MATTHEW G. WHITAKER, in his official :
capacity as the Acting Attorney General of the :
United States, et al., :
:

Respondents. :
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19-cv-2929 (VSB) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This Court is in receipt of an amended petition brought pursuant to 28 U.S.C. § 2241 and 28 U.S.C. § 1331 by petitioner, Seedy Drammah ("Petitioner" or "Mr. Drammah"), which seeks both injunctive and declaratory relief. (Dkt. 19.) The Court is also in receipt of the Government's memorandum of law in opposition (Dkt. 25) and Mr. Drammah's reply memorandum in further support of his habeas petition (Dkt. 29). Having considered the parties' briefs, this Court orders further briefing from both parties on the following three issues:

1. Whether the Government should be estopped from executing Mr. Drammah's order of removal, which was entered on July 12, 2005, by virtue of estoppel or laches given the passage of time and developments in Mr. Drammah's life during that time.

2. The Government's current policies and practices related to facilitation of the return of undocumented immigrants who continue to pursue petitions for review after deportation (as referenced in *Nken v. Holder*, 556 U.S. 418, 435 (2009) and discussed in *Kabenga v. Holder*, 76 F. Supp.3d 480, 487-88 (S.D.N.Y. 2015);
3. Mr. Drammah's ability, financial and otherwise, to return to the United States if deported and later granted the right to return.

The supplemental briefs and responding briefs shall be limited to no more than 15 pages. Submissions may also include affidavits. Parties shall comply with the following schedule: initial submissions filed by **January 4, 2020**; and responding briefs, if any, filed by **January 25, 2020**. Neither party shall submit reply briefing without leave of Court, such request to be made no later than **January 29, 2020**.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: December 2, 2019
New York, New York

Copies transmitted to all counsel of record.